

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services – Prohibition and Excise Department – Appointment of Sri Mohd Abdul Jabbar Ali, S/o Late Sri Mohd Abdul Gaffar Ali, Prohibition and Excise Sub-Inspector, Warangal District on Compassionate grounds in relaxation of rules – Orders – Issued.

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REVENUE (EXCISE.I) DEPARTMENT

G.O.MS.No. 51

Dated: 17/03/2016

Read the following:

1. G.O.Ms.No.1139 Rev(Ex.I) Dept., Dated..31-12-1993
2. Govt.Memo.No.41103/Excise.I(2)/2005, Dated..15.11.2007
3. Govt.Memo.No.23259/Excise.I(2)/2008-7 Dated.07.04.2010
4. Govt.Memo.No.39060/Excise.I(2)/2010-6, Dated.14.02.2012
5. Orders dated.15.07.2014 of Hon'ble APAT., Hyderabad in
O.A.NO.10732/2012

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ORDER:

Sri Mohd Abdul Gaffar Ali, Prohibition & Excise Sub-Inspector was expired on 30-07-1993 in a bomb blast by the extremist at Gunjedu (V) in Warangal District. In G.O.1st read above, orders were issued, among others, entitlement of employment of the widow/children of the deceased apart from exgratia. The age of only son Master Mohd Abdul Jabbar Ali of deceased was 4 years and 8 months at that time as his date of birth is 07-10-1988.

2. Smt Khaisarunissa W/o Late Mohd Abdul Gaffar Ali, had filed a representation on 01-09-2005 for providing compassionate appointment to his Son Sri Mohd Abdul Jabbar Ali. But it was rejected through reference 2nd read above, on the ground that as per the orders issued in G.O.Ms.No.612, G.A.(Ser.A) Department, Dated.30-10-1991 read with Govt. Memo. No. 618 /Ser.A/98-11, Dated.17-12-1979, a minor who does not attains majority within two years after the demise of Government employee shall not be considered.

3. In G.O.Ms.No.30 G.A. (SC.C) Department, Dated..01-02-1996, Government have issued orders for providing employment to the spouse/ children of deceased official who are killed by the extremists/ anti-social elements and in respect of Police Constables to Inspector of Police and to officials of other department holding the same cadre posts, compassionate appointment should be examined as per the existing rules issued in G.O.Ms.No.612, G.A(Ser.A) Department, Dated..30-10-1991.

4. In view of the above, the further representation of Smt Khaisarunissa was again rejected vide memo 3rd read above. Aggrieved, her son Sri Mohd Abdul Jabbar Ali filed O.A.No5381/2010 before Andhra Pradesh Administrative Tribunal. It was disposed off on 29-12-2011 with a direction to pass appropriate orders in terms of orders issued in G.O.Ms.No.443, G.A.(SC.C) Department Dated. 28-10-2002.

5. In G.O.Ms.No.443, G.A.(SC.C) Department Dated.28-10-2002 orders have been issued in continuation of G.O.Ms.No.30 G.A(SC.C) Department, Dated.01-02-1996 that applications for appointment by minor children shall be permitted up to one year of their attaining majority. However, keeping in view of the directions of APAT dt.19-12-2011 Government examined the orders issued in G.O.Ms.No.30, G.A.(SC.C) Department Dated..01-02-1996 and in G.O.Ms.No.443, G.A.(SC.C) Department Dated..28-10-2002, and a stand was

taken that these two orders would covers such employees who died or die due to extremist attack on or after 01.02.1996 i.e the date of issue of G.O.Ms.No.30. Hence request of Sri Mohd Abdul Jabbar Ali was once again rejected vide reference 4th read above.

6. Aggrieved by the above rejection, the applicant Sri Mohd Abdul Jabbar Ali filed O.A.No.10732/2012, before Andhra Pradesh Administrative Tribunal, the Hon'ble Tribunal by its orders dated.15-07-2014, has set aside the impugned Memo dated.14-02-2012 observing that the stand of Government is bad in law and contrary to the earlier orders of Tribunal in O.A.No.5381/2010, and that no mention is made in G.O.Ms.No.443, G.A.(SC.C) Dept dt.28-10-2002 that it is in prospective in nature and that the said G.O is a beneficial legislation intended to provide soccor to the families of those Government servants killed in extremist attacks, as such liberal interpretation has to be given to such Government orders and that, the applicant made application earlier to G.O.Ms.No.443, G.A.(SC.C) Dept dt.28-10-2002 and reviewed his request after the commence of said G.O.

7. Government after careful examination of entire matter and also keeping in view of orders of Hon'ble Tribunal dated.15-07-2014 in O.A.No.10732/2012 have decided to provide appointment to Sri Mohd Abdul Jabbar Ali on compassionate grounds after he attains the majority in relaxation of G.O.Ms.No.443, G.A.(SC.C) Department Dated.28-10-2002.

8. Government accordingly hereby order to appoint Sri Mohd Abdul Jabbar Ali the only son of Late Mohd Abdul Gaffar Ali to a suitable post on compassionate grounds after attaining the majority by admitting the application of Smt Khaisarunissa W/o Late Mohd Gaffar Ali, Prohibition & Excise Sub-Inspector who expired while in service in extremist activities in relaxation of orders issued in G.O.Ms.No.443, G.A.(SC.C) Dept dt.28-10-2002, as a special case, subject to satisfying the other eligibility criteria for such compassionate appointment.

9. The Commissioner of Prohibition and Excise, Telangana, Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition and Excise,
Telangana, Hyderabad.

Copy to:

Sri Mohd Abdul Jabbar Ali S/o Mohd Gaffar Ali Prohibition & Excise Sub-Inspector through Commissioner of Prohibition & Excise., TS Hyderabad.

The Accountant General TS Hyderabad.

The Director of Treasuries & Accounts TS Hyderabad.

Sf/SCs

// Forwarded By Order //

Section Officer